

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

VINCENT RAMON HICKS,)	
Individually and as Next Friend of)	
Aniya Nicole Hicks, a minor,)	
)	Case No. 6:21cv00043
Plaintiff,)	
)	
v.)	
)	
CITY OF LYNCHBURG, et al.,)	
)	
Defendants.)	

DEFENDANTS' MOTION FOR LEAVE TO EXCEED PAGE LIMIT

Defendants, City of Lynchburg, Virginia (“the City”), Lee M. Hughes (“Hughes”), Nathan R. Godsie (“Godsie”), and Hollie N. Breton (“Breton”) by and through undersigned counsel, now move pursuant to the Court’s Pre-Trial Order [ECF No. 7] requesting leave to exceed the 25-page limit for their Memorandum in Support of their Motion for Summary Judgment.

1. Plaintiff brings suit against the Defendants alleging federal claims pursuant to 42 U.S.C. § 1983, including two municipal liability claims, for excessive force and state law claims of assault and battery, gross negligence, and malicious prosecution.

2. Defendants are submitting a Memorandum in Support of their Motion for Summary Judgment as to all of Plaintiff’s claims, which memorandum likely will exceed the 25-page limit included in this Court’s Pre-Trial Order.

4. This Court’s Scheduling Order states, “[e]xclusive of any accompanying exhibits, a brief may not exceed twenty-five (25) pages in length, . . . unless the filing party first obtains leave of the court after showing good cause why a longer brief is necessary.” [ECF No. 7, ¶ 8.]

5. Due to the number of Defendants, claims alleged, and the different legal theories supporting those claims, Defendants request an increase in the page limit from 25-pages for their Memorandum in Support of their Motion for Summary Judgment.

6. Rather than attempting to submit separate briefs for each defendant, Defendants respectfully request permission to file a Memorandum in Support of their Motion for Summary Judgment that is no more than 35 pages in length, exclusive of signatures and certificates of service.

WHEREFORE, Defendants, City of Lynchburg, Virginia, Lee M. Hughes, Nathan R. Godsie, and Hollie N. Breton, by and through undersigned counsel, request the Court's permission to file a Memorandum in Support of their Motion for Summary Judgment that is up to 35 pages in length, exclusive of signatures and certificates of service.

Respectfully submitted,

CITY OF LYNCHBURG, LEE M. HUGHES,
NATHAN R. GODSIE, and HOLLIE N. BRETON

By: /s/ Julian F. Harf

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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of November 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to:

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